

**UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT SCHRADER,

Plaintiff,

V.

DIVERSIFIED CONSULTANTS, INC.,

Defendant.

Case No.:

COMPLAINT AND DEMAND FOR JURY TRIAL

(Unlawful Debt Collection Practices)

COMPLAINT

ROBERT SCHRADER (“Plaintiff”), by and through his attorneys, KIMMEL & SILVERMAN, P.C., alleges the following against DIVERSIFIED CONSULTANTS, INC. (“Defendant”):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692 *et seq.*

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. §1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and 28 U.S.C. §1331 grants this court original jurisdiction of all civil actions arising under the laws of the United States.

3. Defendant conducts business in the Commonwealth of Pennsylvania, and as such, personal jurisdiction is established.

4. Venue is proper pursuant to 28 U.S.C. §1391 (b)(2).

PARTIES

5. Plaintiff is a natural person residing in Sunbury, Pennsylvania 17801.

6. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. §1692 a(3).

7. Defendant is a national debt collection company with its corporate headquarters located at 10550 Deerwood Park Boulevard, Suite 309, Jacksonville, Florida 32256.

8. Defendant collects, and attempts to collect, consumer debts incurred, or alleged to have been incurred, for personal, family or household purposes on behalf of creditors and debt buyers using the U.S. Mail, telephone and/or internet.

9. Defendant is a “debt collector” as that term is defined by 15 U.S.C. §1692 a(6), and sought to collect a debt from Plaintiff.

10. Debt collection is the principal purpose of Defendant’s business.

11. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

12. Beginning in or around early January 2018 Defendant placed repeated harassing telephone calls to Plaintiff seeking to collect an alleged Verizon cell phone debt that had been incurred primarily for personal, family, or household purposes.

13. Attempting to stop these excessive calls from Defendant, Plaintiff spoke to Defendant on or about January 13, 2018, and disputed owing the debt and instructed Defendant to stop calling him.

14. Once Defendant was informed that its calls were unwanted and to stop calling, its continued calls could have served no lawful purpose besides harassment.

1 d. Any other relief deemed appropriate by this Honorable Court.

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4 **DEMAND FOR JURY TRIAL**

5 PLEASE TAKE NOTICE that Plaintiff, ROBERT SCHRADER, demands a jury trial in
6 this case.

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8 Respectfully submitted,

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10 Dated: December 31, 2018

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